

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 14 and 18 have been cancelled without prejudice or disclaimer. Claims 1, 6, 8, 9, 12, 13, 15-17, 19 and 20 have been amended. Support for the amendments can be found at least in paragraphs 0016, 0169, 0189, 190, 0259, 0276, 0290 and 0291 of the published version of the application as filed. No new matter has been added. Claims 1-13, 15-17, 19 and 20 are now pending in this application.

Rejections under 35 U.S.C. § 101

Claims 12, 14, 16, 18 and 20 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

This rejection is moot with respect to claims 14 and 18, which have been cancelled. Claims 12, 18 and 20 have been amended to address the issues raised in the Office Action, and applicants submit that claims 12, 18 and 20, as amended, are statutory subject matter under section 101.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 6, 8 and 9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The claims have been amended to address the issues raised in the Office Action, and applicants submit that the rejection has been overcome.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-3, 5-7, 9, 10 and 12-20 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,826,579 to Leymann et al (“Leymann”).¹ Claims 4, 8 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leymann in view of U.S.

¹ The Patent Office on page 4 of the Office Action lists only claims 1-3, 5-7, 9, 10, 12-14, 19 and 20 as being rejected under section 102 as being anticipated by Leymann. The body of the rejection on pages 8-9 of the Office Action, however, also discusses claims 15-18. For the purposes of this reply, applicants presume the Examiner intended to reject claims 1-3, 5-7, 9, 10 and 12-20 under section 102. Clarification is requested.

Patent Publication No. 2004/0203696 to Jijina et al (“Jijina”). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1, as amended, recites:

A terminal device for designating business based on contents containing a layered system with an aggregate of said contents as the unit thereof and having the designation of said business described therein, comprising:

aggregate output control means for controlling the output of said aggregate based on an event response control program associated with said aggregate, which contains said contents being reproduced, among said event response control programs having described therein a command for an event and associated with each of said aggregates, and in correspondence with said event;

a user input unit for receiving a user input based upon an action of a user, *where a subject matter of said contents is changed according to an action of said user, and wherein a subject matter of said contents includes a designation of a next action of said user;*

contents reproduction control means for controlling the reproduction of said contents contained in said aggregate based on ordinal data associated with said aggregate, for which the output thereof has been designated with said aggregate output control means, among said ordinal data having described therein the reproduction order of said contents associated with each of said aggregates; and

transmission control means for controlling the transmission of the business condition information indicating the condition of said business to a contents provision device for providing said contents based on said event response control program associated with said aggregate containing said contents being reproduced, and in correspondence with said event.

Leymann fails to disclose or suggest at least the above italicized features of claim 1 “*where a subject matter of said contents is changed according to an action of said user, and wherein a subject matter of said contents includes a designation of a next action of said user.*”

Leymann discloses a method for automatically transforming a process model of a workflow-management-system into trigger-specifications executable within a trigger system (abstract). The process model includes at least one source activity S, a target activity T, and a control connector defining a potential control flow from the source activity to the target activity associated with a transition condition P (abstract).

Leymann, however, in its process flow model, nowhere suggests the feature of claim 1, as amended, “where a subject matter of said contents is changed according to an action of said user, and wherein a subject matter of said contents includes a designation of a next action of said user.” In particular, nowhere does Leymann suggest a system where contents, containing a layered system with an aggregate of the contents as the unit thereof, includes a designation of a next action of a user.

Moreover, Leymann does not suggest the advantages of the device of claim 1 “where a subject matter of said contents is changed according to an action of said user, and wherein a subject matter of said contents includes a designation of a next action of said user.” Such a system of claim 1 allows for continuous designation of appropriate business at an appropriate timing and in appropriate order with minimal operation (See paragraph 0016 of published application), and even when the user does not engage in an operation the service may be automatically continued (See paragraph 0276 of published application). Leymann does not realize such an advantage.

Jijina was cited for disclosing other features of the claims, but fails to cure the deficiencies of Leymann.

Independent claims 12, 13, 15-17, 19 and 20 have features corresponding to those discussed above with respect to claim 1, and are patentable for analogous reasons.

The dependent claims are patentable for at least the same reasons as their respective independent claims, as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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